

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**TOMMY TURNER,**

**Plaintiff,**

**v.**

**BNSF RAILWAY COMPANY,**

**Defendant.**

**No. 10-cv-1046-DRH**

**MEMORANDUM AND ORDER**

**HERNDON, Chief Judge:**

Pending now before this Court is the joint stipulation of the parties that this action has been fully settled on its merits and the parties' motion for voluntary dismissal of the action with prejudice and without costs or attorneys' fees to either party. This Court acknowledges the parties' stipulation and dismisses the plaintiff's complaint with prejudice and without costs or attorneys' fees. Further, the Court directs the Clerk of the Court to enter judgment reflecting the same.

**IT IS SO ORDERED.**

Signed this 31st day of January, 2013.

Digitally signed by  
David R. Herndon  
Date: 2013.01.31  
16:18:36 -06'00'



**Chief Judge  
United States District Court**